

May 9, 2017

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Pai,

We write to convey our strong opposition to the Notice of Proposed Rulemaking that would undermine the Open Internet Order and gut critical net neutrality protections.

Net neutrality rules protect the free flow of ideas that are creating new industries, educating our youth, promoting free speech, and supporting the communications that we rely on every day. Without the Open Internet Order, Internet Service Providers could discriminate against certain services, potentially distorting competition, stifling innovation, and hampering user choice and free expression. Eliminating the Open Internet Order and reclassifying broadband as an information service will also prohibit the FCC from adopting other important protections, such as expanding the Lifeline program to broadband, protecting subscribers' broadband privacy, and promoting broadband competition.

While you claim you support a free and open internet, you also want to reclassify broadband back to an information service. Yet, in 2010, the Commission attempted to put net neutrality rules in place without reclassifying under Title II of the Communications Act, and the D.C. Circuit Court eventually invalidated those rules in *Verizon v. FCC*. The FCC, in correctly reading the *Verizon* decision, went back in 2015 and adopted the Open Internet Order, which reclassified broadband as a telecommunication service under Title II. The D.C. Circuit upheld the rules in its 2016 decision: *U.S. Telecom Association v. FCC*. The issue is settled. We urge you not to repeat past mistakes and ask instead that you maintain the successful current regime.


We also oppose efforts to put "voluntary guidelines" in place. Voluntary guidelines do not provide the certainty needed to entrepreneurs, innovators, and anyone else with an idea that they can access potential viewers and customers, and still leaves the essential internet gatekeeper function in the hands of the few and powerful.


It was Congress' intent to preserve the FCC's authority to forestall threats to competition and innovation in telecommunications services, even as the technologies used to offer those services evolve over time. Broadband has become the single most important telecommunications service Americans use to transmit information to one another, and it has become clear that innovators, businesses, and consumers overwhelmingly view broadband as a telecommunications service.

Just a few years ago, four million voices told the FCC that both our economy and the free expression of ideas depend on the open internet. The same holds true today. We urge you to

revoke this harmful proposed rule and protect the free and open internet by maintaining and enforcing the Open Internet Order.

Sincerely,


Edward J. Markey
United States Senator


Charles E. Schumer
United States Senator


Richard Blumenthal
United States Senator


Al Franken
United States Senator


Ron Wyden
United States Senator


Kirsten Gillibrand
United States Senator


Tom Udall
United States Senator


Cory A. Booker
United States Senator


Elizabeth Warren
United States Senator


Bernard Sanders
United States Senator


Patrick Leahy
United States Senator


Martin Heinrich
United States Senator


Jeffrey A. Merkley
United States Senator



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 17, 2017

The Honorable Richard Blumenthal
United States Senate
706 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Blumenthal:

Thank you for your letter regarding the Restoring Internet Freedom Notice of Proposed Rulemaking (NPRM) adopted by the Commission on May 18, 2017. I share your view on the importance of having a free and open Internet. And in this proceeding, the Commission is currently examining the best legal framework for both protecting Internet freedom and providing strong incentives for the private sector to build and expand next-generation networks so that all Americans can be connected to digital opportunity.

Currently, the FCC is in the midst of receiving public comment on this matter, and we will go where the facts and the law lead us. Your views are very important and will be entered into the record of the proceeding and considered as part of the Commission's review. I look forward to continuing to work with you and your colleagues on this critical issue. Please let me know if I can be of any further assistance.

Sincerely,

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Ajit V. Pai



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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 17, 2017

The Honorable Cory Booker
United States Senate
359 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Booker:

Thank you for your letter regarding the Restoring Internet Freedom Notice of Proposed Rulemaking (NPRM) adopted by the Commission on May 18, 2017. I share your view on the importance of having a free and open Internet. And in this proceeding, the Commission is currently examining the best legal framework for both protecting Internet freedom and providing strong incentives for the private sector to build and expand next-generation networks so that all Americans can be connected to digital opportunity.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

July 17, 2017

The Honorable Al Franken
United States Senate
309 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Franken:

Thank you for your letter regarding the Restoring Internet Freedom Notice of Proposed Rulemaking (NPRM) adopted by the Commission on May 18, 2017. I share your view on the importance of having a free and open Internet. And in this proceeding, the Commission is currently examining the best legal framework for both protecting Internet freedom and providing strong incentives for the private sector to build and expand next-generation networks so that all Americans can be connected to digital opportunity.

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July 17, 2017

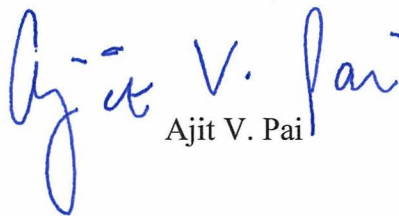
The Honorable Kirsten Gillibrand
United States Senate
478 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Gillibrand:

Thank you for your letter regarding the Restoring Internet Freedom Notice of Proposed Rulemaking (NPRM) adopted by the Commission on May 18, 2017. I share your view on the importance of having a free and open Internet. And in this proceeding, the Commission is currently examining the best legal framework for both protecting Internet freedom and providing strong incentives for the private sector to build and expand next-generation networks so that all Americans can be connected to digital opportunity.

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Ajit V. Pai



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OFFICE OF
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July 17, 2017

The Honorable Martin Heinrich
United States Senate
303 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Heinrich:

Thank you for your letter regarding the Restoring Internet Freedom Notice of Proposed Rulemaking (NPRM) adopted by the Commission on May 18, 2017. I share your view on the importance of having a free and open Internet. And in this proceeding, the Commission is currently examining the best legal framework for both protecting Internet freedom and providing strong incentives for the private sector to build and expand next-generation networks so that all Americans can be connected to digital opportunity.

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Ajit V. Pai



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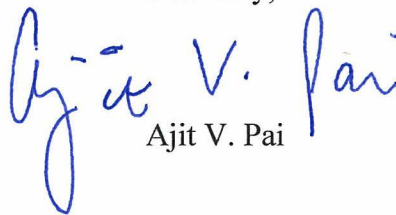
The Honorable Patrick J. Leahy
United States Senate
437 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Leahy:

Thank you for your letter regarding the Restoring Internet Freedom Notice of Proposed Rulemaking (NPRM) adopted by the Commission on May 18, 2017. I share your view on the importance of having a free and open Internet. And in this proceeding, the Commission is currently examining the best legal framework for both protecting Internet freedom and providing strong incentives for the private sector to build and expand next-generation networks so that all Americans can be connected to digital opportunity.

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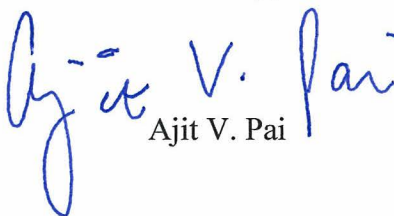
The Honorable Edward J. Markey
United States Senate
255 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Markey:

Thank you for your letter regarding the Restoring Internet Freedom Notice of Proposed Rulemaking (NPRM) adopted by the Commission on May 18, 2017. I share your view on the importance of having a free and open Internet. And in this proceeding, the Commission is currently examining the best legal framework for both protecting Internet freedom and providing strong incentives for the private sector to build and expand next-generation networks so that all Americans can be connected to digital opportunity.

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Ajit V. Pai



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OFFICE OF
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July 17, 2017

The Honorable Jeff Merkley
United States Senate
313 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Merkley:

Thank you for your letter regarding the Restoring Internet Freedom Notice of Proposed Rulemaking (NPRM) adopted by the Commission on May 18, 2017. I share your view on the importance of having a free and open Internet. And in this proceeding, the Commission is currently examining the best legal framework for both protecting Internet freedom and providing strong incentives for the private sector to build and expand next-generation networks so that all Americans can be connected to digital opportunity.

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Ajit V. Pai



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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 17, 2017

The Honorable Bernard Sanders
United States Senate
332 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Sanders:

Thank you for your letter regarding the Restoring Internet Freedom Notice of Proposed Rulemaking (NPRM) adopted by the Commission on May 18, 2017. I share your view on the importance of having a free and open Internet. And in this proceeding, the Commission is currently examining the best legal framework for both protecting Internet freedom and providing strong incentives for the private sector to build and expand next-generation networks so that all Americans can be connected to digital opportunity.

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Ajit V. Pai



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FEDERAL COMMUNICATIONS COMMISSION
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July 17, 2017

The Honorable Charles E. Schumer
United States Senate
322 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Schumer:

Thank you for your letter regarding the Restoring Internet Freedom Notice of Proposed Rulemaking (NPRM) adopted by the Commission on May 18, 2017. I share your view on the importance of having a free and open Internet. And in this proceeding, the Commission is currently examining the best legal framework for both protecting Internet freedom and providing strong incentives for the private sector to build and expand next-generation networks so that all Americans can be connected to digital opportunity.

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OFFICE OF
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July 17, 2017

The Honorable Tom Udall
United States Senate
531 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Udall:

Thank you for your letter regarding the Restoring Internet Freedom Notice of Proposed Rulemaking (NPRM) adopted by the Commission on May 18, 2017. I share your view on the importance of having a free and open Internet. And in this proceeding, the Commission is currently examining the best legal framework for both protecting Internet freedom and providing strong incentives for the private sector to build and expand next-generation networks so that all Americans can be connected to digital opportunity.

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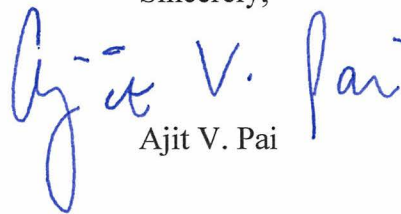
The Honorable Elizabeth Warren
United States Senate
317 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Warren:

Thank you for your letter regarding the Restoring Internet Freedom Notice of Proposed Rulemaking (NPRM) adopted by the Commission on May 18, 2017. I share your view on the importance of having a free and open Internet. And in this proceeding, the Commission is currently examining the best legal framework for both protecting Internet freedom and providing strong incentives for the private sector to build and expand next-generation networks so that all Americans can be connected to digital opportunity.

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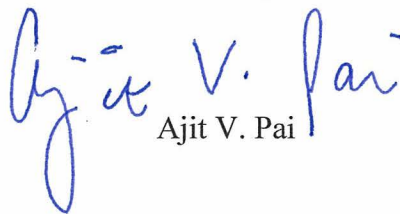
The Honorable Ron Wyden
United States Senate
221 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Wyden:

Thank you for your letter regarding the Restoring Internet Freedom Notice of Proposed Rulemaking (NPRM) adopted by the Commission on May 18, 2017. I share your view on the importance of having a free and open Internet. And in this proceeding, the Commission is currently examining the best legal framework for both protecting Internet freedom and providing strong incentives for the private sector to build and expand next-generation networks so that all Americans can be connected to digital opportunity.

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